

# SENATE BILL 38

P2, M1

0lr0829

(PRE-FILED)

---

By: **Senator Muse**

Requested: October 23, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

---

## A BILL ENTITLED

1 AN ACT concerning

2 **State Finance and Procurement – Maryland Environmental Service – Small**  
3 **Business Reserve Program**

4 FOR the purpose of adding the Maryland Environmental Service as a designated  
5 procurement unit under the Small Business Reserve Program; and generally  
6 relating to procurements made by the Maryland Environmental Service.

7 BY repealing and reenacting, without amendments,  
8 Article – Natural Resources  
9 Section 3–103(g)(1)  
10 Annotated Code of Maryland  
11 (2005 Replacement Volume and 2009 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Natural Resources  
14 Section 3–103(g)(2)  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume and 2009 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – State Finance and Procurement  
19 Section 14–501(b)  
20 Annotated Code of Maryland  
21 (2009 Replacement Volume)

22 BY repealing and reenacting, without amendments,  
23 Article – State Finance and Procurement  
24 Section 14–502  
25 Annotated Code of Maryland  
26 (2009 Replacement Volume)

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Natural Resources**

4 3–103.

5 (g) (1) The Service is exempt from the provisions of Subtitles 3, 4, 5, and 7  
6 of Title 4 of the State Finance and Procurement Article.

7 (2) The Service is exempt from the provisions of Division II of the  
8 State Finance and Procurement Article, but is not exempt from [Subtitle] **SUBTITLES**  
9 **3 AND 5** of Title 14, Subtitle 4 of Title 12, Title 16, and Title 17 of the State Finance  
10 and Procurement Article.

11 **Article – State Finance and Procurement**

12 14–501.

13 (b) “Designated procurement unit” means:

- 14 (1) the State Treasurer;
- 15 (2) the Department of Information Technology;
- 16 (3) the Department of Business and Economic Development;
- 17 (4) the Department of the Environment;
- 18 (5) the Department of General Services;
- 19 (6) the Department of Health and Mental Hygiene;
- 20 (7) the Department of Housing and Community Development;
- 21 (8) the Department of Human Resources;
- 22 (9) the Department of Juvenile Services;
- 23 (10) the Department of Labor, Licensing, and Regulation;
- 24 (11) the Department of Natural Resources;
- 25 (12) the State Department of Education;
- 26 (13) the Department of State Police;

- 1           (14) the Department of Public Safety and Correctional Services;
- 2           (15) the Department of Transportation;
- 3           (16) the University System of Maryland;
- 4           (17) the Maryland Port Commission;
- 5           (18) the State Retirement Agency;
- 6           (19) the Maryland Insurance Administration;
- 7           (20) the Maryland Stadium Authority;
- 8           (21) the State Lottery Agency;
- 9           (22) the Morgan State University; [and]
- 10          (23) the Maryland Transportation Authority; **AND**
- 11          **(24) THE MARYLAND ENVIRONMENTAL SERVICE.**

12 14-502.

13           (a) Except as provided in subsection (d) of this section, this subtitle applies to  
14 all procurements by a designated procurement unit.

15           (b) This subsection does not apply to procurements subject to Subtitle 1 of  
16 this title.

17           (c) A designated procurement unit shall structure its procurement  
18 procedures to achieve a minimum of 10% of the unit's total dollar value of goods,  
19 supplies, services, maintenance, construction, construction-related services,  
20 architectural service, and engineering service contracts to be made directly to small  
21 businesses.

22           (d) The total dollar value of procurements by a designated procurement unit  
23 does not include the value of contracts to which this section does not apply because of  
24 a conflict with federal law.

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2010.